

**Notice of Allowability**

Application No.

10/735,221

Examiner

Jasmine J. Clark

Applicant(s)

ROBERT D. EVANS

Art Unit

2815

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to election filed 11/26/04.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

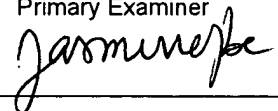
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date see Box 9 below.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>12/12/03</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet</u> .          |

Jasmine J Clark  
Primary Examiner



Continuation of Attachment(s) 9. Other. Formal Drawings MUST be submitted.

### ***Election/Restrictions***

1. Applicant's election with traverse of group I in the reply filed on 11/26/04 is acknowledged. The traversal is on the ground(s) that "the method claims of group II are very specific and limited, directed to hermetically sealing an electronic device in a housing without plating the housing or the device and providing the sealed unit with a hydrogen diffusion port to allow the devolution of hydrogen from assembly..". This is found persuasive; the restriction is withdrawn.

### ***Drawings***

2. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to submit formal drawings under 37 CFR 1.81. No new matter may be introduced in the required drawing.

### ***References Cited***

3. Stupian et al. (US 5,491,361) show a structure of a device comprising an electronic device; and a housing enclosing the electronic device, the housing comprising a base and a cover, and a hydrogen out venting window. However, Stupian fails to teach having a hydrogen diffusion port joining an aperture of the window by a low temperature joining operation to form a second hermetic seal in the cover as set forth in claim 1, and also fails to teach the limitations of claims 16 and 20.

The references of interest are cited: Shiomi et al. (US 2004/0207071 A1), Kovacs et al. (US 5,268,533), and Pitou (US 6,435,882 B1) shows a structure having a base and a cover.

***Allowable Subject Matter***

4. Claims 1-31 are allowed.

The following is an examiner's statement of reasons for allowance: please see the above discussion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

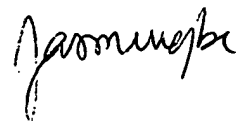
***Telephone Inquiry Contacts***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasmine J. Clark whose telephone number is (571) 272-1726. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (571) 272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jjbc/02/21/05

A handwritten signature in black ink, appearing to read "Jjbc/02/21/05" or similar, located at the bottom right of the page.